



**Court Services and Offender Supervision Agency
for the District of Columbia**

*Community Supervision Services
Associate Director*

MEMORANDUM

DATE: February 5, 2003

TO: Branch Chiefs
Community Supervision Services

FROM: Thomas H. Williams, Associate Director (*signed*)
Community Supervision Services

RE: Guidance

Subject: Show Cause Hearings

On February 3, 2003, Mr. Pears and I met with Administrative Judge Noel Kramer and Associate Judge Harold Cushenberry. During that meeting, one of the topics of discussion was "Show Cause Hearings". Judges Kramer and Cushenberry indicated that the CSO should be prepared to proffer a recommendation to the Court with respect to disposition for the alleged violations. Therefore, staff presenting the alleged violations must have sufficient knowledge of the case before the Court and be prepared to proffer a recommendation to the Court with respect to the disposition for the alleged violations committed by the offender.

In addition, the judges advise that the criminal proceedings statute permits the sentencing judge to revoke the terms of probation and hold the offender in detention until the re-sentencing date.¹ Staff are to make the following recommendations to the Court:

1. Revoke; 30 days in jail and resentence to probation;
2. Revoke; incarceration;
3. Continue on supervision with new special conditions (i.e., treatment assessment, mental health assessment, VOTE referral for employment, etc.);
4. Probation continued; step back to jail, pending treatment assessment/placement; and
5. Revoke and extend supervision period.

The CSO is not to close the probation case in SMART pending the re-sentencing hearing. The CSO should continue to monitor the offender's compliance pending final disposition of the case. Staff are to inquire from the Court the re-sentencing date.

¹ There also may be occasions when the judge may revoke and not detain the offender. The CSO is to inquire from the Court the special conditions to be followed until the re-sentencing date.

If a treatment assessment is ordered by the Court, the CSO is to e-mail CSO Toni Brinson and “cc” SCSO Verna Young by the next business day following the show cause hearing to alert Ms. Brinson that a judicial substance abuse assessment has been requested, and that the J&C will follow.

Lastly, as a disposition to the show cause hearing, the Court also may step the offender back to the DC Jail, pending a treatment assessment/placement or transfer to another CSS team. In these cases, the CSO is to e-mail CSO Toni Brinson and “cc” SCSO Verna Young one (1) business day following the show cause hearing to alert CSO Brinson of the Court’s request for treatment placement and advise that the J&C will follow.

Your attention to this matter is appreciated and you are to ensure that your direct reports are familiar with the content of this memorandum so that proper guidance can be provided to the CSOs.

cc: Mr. Rush
Ms. Evans

Information Copy:
Ms. Poteat